unual Report of the Executive Committee Has a Fling at Grout and Says "We Told You So" of Clarkson-Carl

Schurz Again Elected President.

The annual dinner of the Civil Service Reform Association last evening at the St. Denis Hotel was enlivened by an attack by Police Commissioner Greene on the City Magistrates and on some of the other Judges before whom criminal cases come. Gen. Greene began by telling the civil service reformers that he thought he had pretty nearly abolished corruption in his department; "I don't mean," he explained. that there is no blackmail at present in the department, but I do say that the organized system has been eradicated."

Then he added: There is another point I wish to touch upon with reference to the police magistrates. There are twelve in the city, two of them have not sat in nine months. At least five of the remainder have such views of the enforcement of the law that what will result when a case is brought before them is a matter of speculation. I know of one case where a person was arrested on the second following sensitive.

a charge of felonious assult.

The man had used an axe in the commission of the deed. The Magistrate had the charge made disorderly conduct and the man was fined \$5. In another instance, a butcher was accused of larceny. "Make it disorderly conduct," aid the Magistrate, and he suspended sen-

there is a certain police captain who for there is a certain police captain who for the past three months has been working night and day to eradicate the vice and maintain order in his precinct, one of the worst in the city and famous for its dens of vice. In the past thirty days he has brought before certain magistrates most convincing evidence against these evil resorts, yet the persons arrested have been discharged. Not once, but several times, has this been done on cood evidence, yes on evidence on which I hope to convict the proprietors of these houses and resorts in another court. What then can you say if the policeman wonders where he is ut!

ders where he is at?

Not only on the Magistrate's bench but also in the court of Special Ses ions is the most complete evidence demanded. Why, men have been hung on less evidence than that which has been thrown out in the cases of ertain zamblers.
There is also a Justice of the Supreme Court who contends that the sentencing of some gamblers is a small matter when the theory that every man's house is his castle

n danger, ae public conscience needs awakening, to be kept awakened, as well as the con-nce of the police. There are those who conste the enforcement of the law except it interferes with their particular pur-

Take the Sunday Concert law for instance. Idon't agree that that law is dead, yet of the sixty or eighty arrests made all have been thrown out of court. As to the Excise law I think I can truly say that there is to-day no open violation and that it is as well enforced as any law on the statute books, not even excepting homicide.

Commissioner Greene closed his address gith a eulogy of Mayor Low, who, he said had as heads of departments the ablest body of men who ever served the city.

Other speakers were Dr. Lederle, president of the Board of Health: Richard Watdent of the Board of Health: Richard Wat-son Gilder, Civil Service Commissioner Spencer, Edward Carey and Horace E. Deming. Carl Schurz was reëlected president, Elliot H. Goodwin secretary and Jacob F. Miller chairman of the executive com-mittee.

The report of the executive committee The report of the executive committee given out at the meeting praises President Roosevelt, who, it says, "has found it practicable not alone to maintain, but also to strengthen and extend the system of appointments to office of which he has always been so strong an advocate." Of one appointment, however, the committee cannot appears to the report says: Its report says:

approve. Its report says:

In its last annual report the committee criticised the appointment of James S. Clarkson, notorious as a spoilsman, as Surveyor of the Port of New York. Events during the past year have served to show the justness of this critism. Mr. Clarkson has been reported by the press as a frequent absentee from his office engaged in political work in other parts of the country; his department has once been the subject of investigation by the Civil Service Commission, while in the only two important appointments he has made—those of deputy surveyors—he has requested, and through his insist nce has received—in one case by the order of President Roosevelt—permission to ignore the rules governing promotions in the New York Custom House.

Things in this city from a civil service

reform point of view are looking up. The committee continues to find fault, says is report, because it has been "unwilling to account the to accept the unsympathetic and lax en-forcement of the law under the last administration as a standard, but has taken in-stead what it thought might reasonably be expected of an administration pledged to civil service reform and what it has seen accomplished under the Strong

The committee still thinks that a Civil The committee still thinks that the paid mem-iervice Commission of three paid mem-ers would be better than the present board of seven, with Col. Willis L. Ogden, its presit, as the only salaried member. Of work that Col. Ogden's board has done,

he reclassification and regrading of the service by the commission he report sava:

The reclassification and regrading of the city service by the commission was an important step in advance. At the same time, the large increase in the number of positions excepted from examination led to a vigorous protest from the association.

Exception was taken in particular to the fwenty additional exempt places in the office of the Commissioners of Accounts and to the thirty-six new exemptions under the Comptroller, which brought the total number of excepted places in the Finance Department to 142. It is beyond question that these new exemptions have been used, in certain instances, to make political appointments.

## CAN'T EXTRADITE WAINWRIGHT. cused of Bribery, Is Safe in France.

WASHINGTON, May 13 .- In response to request to the State Department, that it use its efforts to secure the extradition to the United States of Ellis Wainwright, charged with bribery in the St. Louis mu-nicipal scandal, Gov. Dockery of Missouri nicipal scandal, Gov. Dockery of Missouri has been informed that the extradition treaty with France, where Wainwright is supposed to be, does not include bribery. Wainwright is a millionaire brewer, and the richest man against whom the charge of corrupting St. Louis Councilmen by the use of money was brought. The difficulty in his case is similiar to that encountered in the case of Charles Kratz countered in the case of Charles Kratz and Charles Carroll, alleged boodle Alder-men, who fied from St. Louis and settled in

Mexico, engaging in ranching.

b Finding that they could not be extradited on the charge of bribery. District Attorney Folk of St. Louis, who is prosecuting the bribery cases, came to Washington in the last session of Congress and secured the negotiation and the ratification of a special treat with Maries adding bribery to the treaty with Mexico, adding bribery to the list of extraditable offences. Some such means may be resorted to in Wainwright's case unless an indictment of him for an extraditable crime can be obtained.

### JUROR, ALREADY CONVINCED, Narrowly Misses Sitting on the Trial of

Flower's Lawyer, Mills. George Edward Mills, defended by former Supreme Court Justice Fursman, is on trial in the criminal branch of the Supreme trial in the criminal branch of the Supreme Court before Justice Fitzgerald, charged with attempting to bribe Detective Sergeant Brinkley and Assistant District Attorney Garvan to give him possession of the indictments against Dr. R. C. Flower. One of the jurors, after he had been selected, told a talesman that he believed Mills was guilty. The talesman told Mr. Fursman, who had the juror examined. The juror admitted that he believed Mills with the purpose of the suprementation o was discharged and

Brander Matthews Succeeds Prof. Price. Brander Matthews, head of the departnent of dramatic literature at Columbia University, was elected yesterday to succeed the late Prof. Thomas Randolph Price as head of the department of English. He

will continue to give his courses in dramatic literature.

The college faculty held a special meeting
The college faculty held a memorial resolutions for Prof. Price.

BORDEN MURDER RECALLED. An Axe Found Under the Floor of a Wood shed Near the House.

FALL RIVER, Mass., May 13.-The discovery of an axe hidden beneath a lot of coal under the floor of the woodshed of Mrs. Margaret Milard, in the rear of the Borden estate, on Second street, has revived interest in the murder of Andrew . Borden and his wife, which occurred on Aug. 4, 1892. Although the axe was found nearly three months ago, the public did not learn of it until yesterday, and all the gossip connected with that famous case has been talked over again.

Ordinarily, the discovery of an axe under woodshed would not excite great interest, but the finding of this one, wrapped in a newspaper, hardly a stone's throw from the Borden house, has made a sensa tion, and the police have been investigating the matter quietly, in hope that it will lead to the solving of the mystery of the death of the Bordens.

The Milard woodshed is just in the rear of the Borden house. While Mrs. Milard was engaged in getting kindlings, the flooring gave way and she stepped into a hole. Surprised at the incident, she looked about her and discovered a quantity of coal She carried two hods of the fuel into the house and then uncovered the axe. It had the appearance of not having been used very much, and the handle bore some

dark stains that might have been blood. The matter was reported to the police and they took charge of the axe. The police have never given up hope of bringing the murderer of the Bordens to jus tice, and to that end they have arranged to produce the skulls of the dead people at any time they desire.

The skulls were exhibited at the trial of Miss Lizzie C. Borden and have been carefully preserved ever since.

#### INSULTED BY CARNEGIE. Sydney, Cape Breton, May Return His \$15,000 Library Gift.

HALIFAX, N. S., May 13.-In consequence of Andrew Carnegie's disparaging remarks in London the other day on Canada's steel industry and his saying that Cape Breton was only a "mirage," Mayor Richardson of Sydney says that he will recommend to the City Council of the place the immediate return to Mr. Carnegie of his \$15,000 library gift to that town. The Mayor says:

"I do not think that citizens of Sydney should accept donations from Andrew Carnegie or from any other man who would throw slurs upon Canada, her institutions and her industries. It is time that we should show to those people that we can exercise at least some degree of independence. Cape Breton has now acquired a place in the industrial world where should not tolerate any mud slinging from men who are endeavoring to injure her reputation."

It is likely that a meeting of citizens will be called and the offer of Mr. Carnegie formally declined

#### DYNAMITED BY ITALIANS. Homes of Two Men Who Wouldn't Go on

a Strike Blown Up. WILLIAMSPORT, Pa., May 13 .- One hundred Italians on strike at Marsh Hill to-day dynamited the houses of two men who refused to strike. It is reported that two men were killed during the riots that prevailed, but the rumor cannot be verified. The houses were shattered, but all of the occupants escaped. Thirteen of the strikers were arrested by the Sheriff's posse, but it is not known whether the dynamiters are among them. The Italians are employed by a railroad construction company.

One man was discharged and the other at once struck. They demanded their pay immediately, and when told that the money could not be secured on such short notice made an attack on the building, firing about twenty shots. The Sheriff arrived with a large body of to prevent them from burning the building. The strikers then retired a few miles and afterward blew up the homes of the two

### PATRIOTIC MISCELLANY. Republic Gone When Any Combination Can

Restrain Any Man's Right to Work. A hundred members of the New York Society of the Order of the Founders and Patriots of America listened last night to a definition of the American gentleman, a warning against the aristocratic tendencies of labor and capital, a humorous history of the early settlers, praises of the old New England town meeting as a democratic institution and other items of patriotic interest. It was the annual dinner of the society and, incidentally, the anniversary of the founding of the Jamestown settlement. The dinner was at the Hotel Manhattan, Edward Payson Cone, governor of the New York Society, presided.

Col. Prime told a story of an American gentleman in a Fifth avenue stage who found it necessary to retie his shoestrings The Millionaire Brewer of St. Louis, Ac- and on getting out found he had tied himself to the lady who sat alongside. Stewart L. Woodford warned the society that the American's most serious question in the future must be to keep his liberty out of the hands of combinations. "Every

one," he said, "has the right to work for his wage. In this right, rests the liberty of the whole country. The republic is gone and gone forever if we allow any combination of power to restrain this right."

John S. Wise thanked God he was not John S. Wise thanked God he was not one of his own ancestors. According to him, the best thing the Pilgrims of Massachusetts ever did was to let one of their daughters marry one of his forefathers. Mr. Wise got a hearty chuckle out of President Graybill of the Georgia Society by saying that not content with our present mixture of the Aryan races, we were turning the country into a "museum of darkles." ing the country into a "museum of darkies."
Samuel C. Darling of Boston said that in founding the "home, church, town and school" the Pilgrims had laid the cornerstone of American freedom. Robert Roosevelt, the President's uncle, on other hand, pointed out that it was the activity induced by the worship of "War, Wine and Woman" that made the American descendants of the Dutch such a sturdy

Rear Admiral Frederick Rodgers of the Brooklyn Navy Yard read a paper advo-cating "more men" for the navy. Plaques of the bust of Capt. John Smith were distributed as souvenirs.

#### GET HOLMES AGNEW AGAIN. Tenderloin Police Lock Him Upfor Insulting Women on Broadway.

Holmes Agnew, who is happiest when he is in trouble, was locked up in the Tenderloin station yesterday afternoon charged with disorderly conduct and intoxication. Agnew has been arrested on both charges more times than he can remember. He was drunk when he appeared on Broadway yesterday and began to jostle and insult

Several passers by complained to Police-an O'Brien, who arrested Agnew. When man O'Brien, who arrested Agnew. When O'Brien started to take him to the police station his prisoner began to fight.

Agnew was no match physically for his captor, and in a few minutes O'Brien laid him on his back on the sidewalk. When the cop threw him a dozen persons decided that if was a police outrage and took O'Brien's number. They cooled off when they learned why Agnew had been arrested.

# INNOCENT MEN CONVICTED

SAYS FINK, GETTING SQUARE WITH HIS BROTHER-IN-LAW.

He Tells a Story of Perjury and Forgery in the Installment Jewelry Business -Girl Bookkeeper Corroborates Him -Each Man Has the Other Arrested.

Louis Fink, when he was brought into the Tombs court vesterday on a charge of larceny made by his brother-in-law, James Bergerman, a jeweller at 37 Maiden lane. As the result of the confession Bergerman of perjury. Fink says that at least one i innocent man is in State prison, and another

has been convicted. Fink was arrested yesterday morning on board the steamship Comal, which sailed yesterday afternoon for Galveston. Magistrate Cornell had issued a warrant on Bergerman's complaint, charging Fink with the larceny of \$400 collected on March

28, while Fink was in Bergerman's employ

as a salesman. "Innocent men have been sent to jail on perjured testimony of mine," said Fink to District Attorney Jerome, whom he recognized in the court, "and I want to confess all about it.

Fink made to Assistant District Attorney Fink made to Assistant District Attorney Kresel a confession, of which this is part:
On Jan. 11, 1919, Bergerman sold to Adolph Schneider of 1904 Brook avenue, a gold watch and chain for \$85, \$10 down and \$2 a week. Schneider signed two papers, an installment contract and a memorandum receipt, part of the terms of which were that he should return the watch on demand. Schneider paid \$39 on account and then his payments stopped. I went before Magistrate Hogan and charged Schneider with the larceny of a watch and chain. He was convicted before Judge Newburger in the General Sessions on March 9 last. On this trial I anti Bergeman's bookkeeper, Ida L. Ennis, swore that Schneider received two watches and two chains, whereas he got but one watch and one chain. We produced the installment contract under date of Jan. 11, 1949, and a memorandum receipt under date of Jan. 14, 1959. On this memorandum we had altered the date from Jan. 11 10 Jan. 16. In reality Schneider had had but one watch He was an innocent man, as he protested, but he was convicted. The forgery and the perjury we committed were at the instigation of Bergerman. Schneider was as innocent of the crime of which he was convicted as I am of the stealing of \$400 with which Bergerman has charged me. And there are other cases. Kresel a confession, of which this is part:

Fink went on to tell of three more criminal charges brought by or on behalf of Bergerman, concerning which Mr. Kresel declined to say anything except that upon one of them one man was convicted and is

one of them one man was convicted and is
in State prison. On the other two cases
the Grand Jury refused to indict.

Mr. Kresel had a subpena issued for
Miss Ennis, who was examined before
Justice Mayer of the Special Sessions, sitting as a Magistrate. Her testimony
corroborated Fink's and Justice Mayer issued a warrant for Bergerman. Ex-amination is set down for this afternoon. Fink is in the custody of a county detective, out is not locked up

# CIVIC FEDERATION MEETS HERE.

Local Committee Dines Its National Executives--Urged to Fnd Chaos.

The executive committee of the New York Civic Federation gave a dinner at the Ashland House last night to the executive committee of the national body, which held its semi-annua meeting here vesterday. After the dinner there was some speechmaking behind closed doors. Lewis Nixon, president of the New York organization, presided. Senator Hanna, Archbishop Ireland, John Mitchell, Otto M. Eidlitz president of the Mason Builders' Association; William H. Farley, secretary of the Board of Building Trades; Spencer Trask, and President F. D. Underwood of the Erie Railroad, made speeches. The three speakers from the National Federation urged the New York organiza-

tion to take up and settle the trade confus-ion existing in New York, especially in the The conciliation committee of the local body holds its regular meeting this afternoon. Emerson McMillin, its chairman, said that there is at present no local grievance before his committee and he could not tell whether any action would be taken toward settling the confusion in the labor situation here to which Senator Hanna, Archbishop Ireland and John Mitchell

Archbishop Ireland and John Mitchell had referred in their speeches. The meetings of the national body, which was held yesterday afternoon in the Mission Building at Fourth avenue and Twentyse cond street, was devoted entirely to routine business, chiefly the discussion of a report on the organization of local branches.

## MISSOURI BOODLERS.

More Evidence Secured of Money Pald

for Legislation. St. Louis, Mo., May 13.-Former State Attorney Folk several new leads in legislative boodling to-day. He said that he received \$1,000 at the session of 1899, which he divided among four other Senators. the allotment being \$250 each.

Schweickardt's statement, which was signed by him, is said to be next in importance in the Legislative boodle investigation to that of former Lieut.-Gov. John A. Lee as it will enable the prosecutor to get after several men whom the statute of limitations does not protect.
Senator John F. Morton, called the "King

of the Lobby" and balance wheel of the Senate combine was a witness before the Senate combine was a witness before the Grand Jury for about an hour to-day. He admitted that he was at the Planters' Hotel on March 24, 1903, when \$15,000 is said to have been distributed by Daniel J. Kelly, legislative agent for the Baking Powder Trust, but declared that he did not see

Kelly there. Ex-State Senator Rollins was anothe witness to-day. In the session of two and four years ago Rollins introduced many anti-corporation bills, most of which were ndefinitely postponed.

#### HONORED BY POPE LEO. Martin Maloney, a Rich Philadelphian,

Made a Marquis. PHILADELPHIA, May 13. - Martin Maloney the millionaire gas man of this city, has had the title of Marquis conferred upon

had the title of Marquis conferred upon him by the Pope. The application to raise Mr. Maloney to the nobility was made by Mgr. Satolli and was endorsed by Archbishop Ryan and the Bishop of Trenton.

The title of Marquis is one of the highest conferred by the Pope on members of the laity, and, in this case, is a recognition on the part of the Pope of the many ways in which Mr. Maloney has labored to advance the cause of the church. He is one of the closest friends of Archishop Ryan, and has given many thousands of dollars to the Cathedral and to charities of the archdiocese. As a memorial to a daughter, to the cathedral and to charities of the archdiocese. As a memorial to a daughter, who died at sea, Mr. Maloney erected at his own expense a chapel at Silver Lake, N. J.

## LEE AND WASHINGTON.

Virginia Bill to Put Their Statues in the Federal Capitol Becomes a Law.

RICHMOND, Va., May 13.-The measure which originated in the Senate providing for placing a statue of Robert E. Lee in the Capitol at Washington as one of the two greatest Virginians, became a law today by passing the House. The bill appropriates \$17,000 for a bronze statue of Lee and a replica in bronze of Houdon's Washington. E. V. Valentine, the sculptor briates and a replica in browner, the sculptor Washington. E. V. Valentine, the sculptor of Lee's recumbent statue at Lexington, is selected under the bill to make the statues. The present statue of Washington in Statuary Hall is a plaster cast and was by Virginia.

An Obedient Pen-The Stylusis round pointed. Send for samples to Styles ... Cash, 77 sh Ave., City.-Adv.

#### GUILTY OF WINE ADULTERATION. Big Producer in the Rhine District Is

Convicted. Special Cable Despatch to THE SUN.
BERLIN, May 13.—Dr. Schlamp von Hope aus Nierstein, the largest wine producer in the Rhine district, who was charged at Mayence by the Government with adulterating his product sold as book of the Niersteiner vintage, was found guilty to-day and sentenced to pay a fine of 1,500 marks,

"I want to make a confession," said or to be imprisoned for 300 days. Several witnesses, all of whom were discharged employees, testified that he defendant personally superintended the preparation of he decoction in question, using among other adulterants tanis in the Tombs on a charge of subornation | nic acid, gelatine and isinglass. With these he also mingled Greek wines of the cheapest grades.

One of the processes was the introduction of a small quantity of a mysterious liquid. the composition of which was a secret The defendant carried a bottel of this liquid in his pocket and himself added it to the other so-called wine behind closed doors, so the secret of mixing it was not learned. The wine when prepared was diluted with its own bulk of water.

LONDON, May 13 .- The adulterated wine case at Mayence has considerable interest in England, where Niersteiner is a favorite dinner wine. London dealers, when in terviewed on the subject, naturally disavowed any knowledge of the adulteration of Niersteiner, but they pointed out that nothing was more tempting to adulterators than wine.

As a matter of fact, adulteration is vastly resorted to unknown to the dealers, as is also fraudulent labelling. It is well known that far more so-called French wine is sold throughout the world than France produces. It is also known that more Rhine wine is sold than is produced in Germany. while America produces more white wine than is consumed there and consumes more Rhine wine than it imports.

The conviction of Dr. Schlamp does indicate that he is necessarily worse than some otherwine producers, althoughit is contended that plenty of good Rhine wine can be obtained. The meanest thing about the case was Dr. Schlamp's plea that most Rhine wine is like his own.

### TRUCE AT TETUAN.

Both Sides Allowed to Bury Their Dead -Rebel Successes Denled.

Special Cable Despatch to THE SUN. MADRID, May 13 .- A despatch from Ceuta tates that the couriers arriving there dispute yesterday's report of revel successes in the pending siege of Tetuan. It is admitted that fighting has been suspended to enable both sides to bury their dead, of which there are at least 300. Many heads are displayed upon the walls of the city, whom has ammunition sufficient for three days. A report from Tangier says that the

rebels have been severely defeated by the Imperial troops near Fez. PARIS, May 13. -- A despatch to the Temps from Tangier says that the situation generally throughout the country tends to become worse. The discontent toward the Sultan has been increased by his final refusal to dismiss his European advisers even

temporarily. Orders have been sent to Algiers to despatch two strong punitive expeditions against the robber tribes on the Moorish

TANGIER, May 13 .- According to the atest report the garrison at Tetuan has made a successful sortie, but the siege has not been raised. The Spanish cruiser Infanta Isabella is anchored off the port, hoping to embark the Spaniards in the It is understood that the other foreigner

have asked to be allowed to accompany the Spaniards. All the British, including missionaries, have apparently left. It is announced that the American missionaries have practically abandoned Mequicould nez owing to the critical situation.

#### TALKED RELIGION WITH KAISER. Cardinals Took Part in Discussion Luncheon in Rome.

Special Cable Despatch to THE SUN. BERLIN, May 13.-It is stated that the religious controversy that had its origin in the statements of Prof. Dolitzsch, the noted Assyriologist, was discussed at a luncheon given at the German Embassy at Rome during Emperor William's recent visit there. Several Cardinals were present. One of them congratulated the Emperor on the orthodoxy of his views, but hinted that his senator Charles Schweickardt gave Circuit | Majesty should have referred explicitly to the "living and infallible" authority of the Pope as a support to his doctrine.

The Emperor smiled, but remained silent. Then seeing that all present were regarding him expectantly he remarked that no government could do without religion, and that in the absence of Christianity society would go to ruin.

#### NO AMERICAN CARDINALS. Appointments Not Likely at the June Consistory.

Special Cable Despatch to THE SUN. ROME, May 13 .- At the Consistory in June the appointment of the following Cardinals is regarded as certain: The Nuncios at Vienna and Lisbon, Noceela and Cavicchioni, both Romans. It is probable that the Arch-

bishop of Metz will also be elevated. The prospects are that there will be no new American Cardinal, efforts for the promotion of Archbishop Ireland proving unavailing because of his "Americanist antecedents." But as a prelate remarked to the correspondent: "The unexpected generally happens."

## German Member of Venezuelan Commis-

Special Cable Despatch to THE SUN BERLIN, May 13 .- It is stated that Herr Goetsch, Councillor of the German Legation at Caracas, probably will be appointed the German member of the Venezuelan Arbitration Commission. He has had considerable diplomatic experience in South America. He left Berlin some weeks ago and is now in Washington.

#### CHURCH BELL BANISHES SLEEP. Pastor Must Explain to Hoboken Health

Commissioners Why It Rings So Early. S. Reed Spencer, of 327 Hudson street, Hoboken, yesterday sent a communication to the Health Commissioners of that city asking them to stop the early morning ringing of the bell at SS. Peter and Paul's Roman Catholic Church. Spencer says that the bell is a public nuisance, and he is almost ill from loss of sleep on

Health Warden Kudlich says that many people are making similar complaints and the Commissioners have decided to sum-tion before them the Rev. Dr. Hoffmon before them the Rev. Dr. Hoff-schneider, pastor of the church, to explain why the bell is rung so early.

Josquin Miller in Perfect Health. SARATOGA, May 13.-Mrs. Joaquin Miller has received a telegram from Herr Wagner, secretary to Joaquin Miller, which reads that "Joaquin is in perfect health; report of illness false." Miller was reported as having died suddenly on Sunday night after an illness of only twenty minutes. The poet is now at his mountain home near Oakland. Cal.



## DEFENDS DAUGHTER'S HONOR.

HALE DESK CO.

15 STONE ST. next Produce Exchang.

MRS. SCHAEFER'S MOTHER SAW NO WRONG IN HER ACTIONS.

Knew That Wife of Brewer Travelled With G. A. Worth, Corespondent in Suit for Divorce-Gen. Schaefer Dependent on His Father and Brother for Funds

Vice-Chancellor Pitney heard testimony Chancery Chambers, Jersey City, yesrday in the suit brought by Gen. Emil Schaefer, the brewer, of this city, against his wife, Aurelia Else, to obtain the custody of his daughters, Freda and Else, 7 and 5 years old respectively, who were kidnapped by Mrs. Schaefer while they were enjoying an outing in Central Park with their nurse. Schaefer has begun a suit for divorce in

this city, naming Gorham A. Worth of Manhattan as corespondent. He alleges that Worth and Mrs. Schaefer travelled about the country together with the children His detectives traced them to Philadelphia, Pittsburg, Buffalo and Canada, and finally to Morristown, N. J., where the man and woman were arrested.

All the interested parties were in court when the case was called by the Vice-Chancellor shortly after 10 o'clock.

The purpose of the testimony taken was to show that the mother was not fit to be the custodian of the children. A. W Campbell, a clerk in the Herald Square Hotel, Manhattan, testified that while he was clerk in the Hotel Wellington, in 1902, was clerk in the Hotel Weilington, in 1902, Mrs. Schaefer occupied a room there adjoining Worth's room. He said that her packages were sent to Worth's room.

Lawyer Bernstein's method of crossexamining the witness did not please the Vice-Chancellor, who asked him if he was a counsellor of the State of New Jersey. He represented Mrs. Schaefer.

"No, sir, I am an attorney," answered Bernstein.

Bernstein.
"Then I can't hear you," said the court.

"Then I can't hear you," said the court.
"I ask you to hear me as a matter of courtesy to a member of the New York bar," remarked the lawyer.

The Vice-Chancellor told him to go ahead, but he didn't get far before the Court suggested that he would be pleased if Mr. Parker would continue the examination. Mr. Bernstein yielded to his Jersey associate.

ciate.

Mrs. Mary Reek said that in January last Mrs. Schaefer and Worth registered at her hotel in Tarrytown as "Mr. and Mrs. C. A. Worth." Adrian E. Willis, a Pullman car conductor on the Delaware, Lackawanna and Western Railroad, testified that Mrs. Schaefer, Worth and the two children occupied a drawing room with two berths and a lounge on a trip from Doyer to Buffalo in March last. The conductor was corroborated by A. G. Andrew, a negro corroborated by A. G. Andrew, a negro

Gen. Schaefer, who is said to be suffering from locomotor ataxia, walked slowly of the witness chair leaning on the arm of friend. He said that he was 40 and he wife 19 when they were married, that he is not connected with the brewery and is dependent on his father and brother. He gets an income of \$5.000 a year from his brother. He said that he had arranged to

Mrs. Von Saal.

Mrs. Amelia Ronk, mother of Mrs. Schaefer, testified for the defence that she had noticed while visiting her daughter that Mr. Schaefer was ill-tempered and disagreeable at times. She said she had heard that he was addicted to the use of morphine. She knew that her daughter and Worth had been in various places together, but she never knew of anything

and Worth had been in various places together, but she never knew of anything wrong. Miss Freda Ronk, Mrs. Schaefer's sister, testified that Schaefer had a morose and disagreeable disposition.

Vice-Chancellor Pitney said he would continue the hearing on June 18.

Judge Cutler, Mr. Schaefer's lawyer, suggested that the children should be placed in the custody of their father in the meanin the custody of their father in the mean-while. The Vice-Chancellor said that the present arrangements for their care will Lawver Bernstein will pro duce them in court when they are wanted

#### FEARS OUR COMPETITION. Alfred Mosely Says It Will Be Serious When We Have Larger Surplus.

Special Cable Despatch to THE SUN LONDON, May 13.- Alfred Mosely, who was chief of the delegation of British workingmen which visited the United States recently to study industrial conditions, delivered an address before the British Trades Protection Society to-day. He expressed the fear that the competition of America in the markets of the world would prove serious when the internal trade of the United States slackens and American merchants can give

#### more attention to export business. LECTURE BY CHOATE. Ambassador Talks to University College of London on Supreme Court.

Special Cable Despatch to THE SUN LONDON, May 13 .- Mr. Choate, the Ameriean Ambassador, lectured to-night before the University College of London as president of the Social and Political Education League. His subject was "The Supreme

Court of the United States." He reviewed the inception, powers and history of the court, and described it as a unique judicial authority. He said it furnished an example to other countries to ettle all disputes by arbitration.

#### FOR MURDER OF NATIVES. Two Belgian Officers in the Congo Free State Now on Trial.

Special Cable Despatch to THE SUN BRUSSELS, May 13 .- As the result of complaints by natives of the Congo Free State that Belgian officers are murdering natives and burning villages two officers are now on trial at Roma.

#### Ambassador Porter in Venice. Special Cable Despatch to THE SUN.

VENICE, May 13 .- Gen. Horace Porter, the American Ambassador to France, accompanied by his daughter, son and daughter-in-law, has arrived here for a short stay. Clarence Porter intends shortly to take to America the body of his mother, who died in Paris a short time ago.

## 9,000 Emigrants Clamoring to Get Here.

Special Cable Despatch to THE SUN. BERLIN, May 13 .- Over 9,000 emigrants are waiting in Hamburg clamoring to be shipped to America this week by the Hamburg-American line. To meet this pressure on the service the company has decided to add the so-called "hotel ship" Colbia to the fleet.

# Saks & Company

OFFER SPECIAL FOR TO-DAY.

Three Hundred and Fifty Imported Linen Duck

# Waistcoats for Men at \$2.50

Designed for Summer service. Singlebreasted models, with or without collar. skeleton tailored. Also, Waistcoats of various materials, the sizes of which are incomplete.

Broadmay, 33d to 34th Street

Values \$3.50 and upward.

For Thursday at \$2.50

SPIRIT DEED DOESN'T STAND. Explorer Cavendish Gets His Property Back From the Medium.

Special Cable Despatch to THE SUN. LONDON, May 13.-The Court of Chancery o-day set aside the deed by which Henry H. S. Cavendish turned over the bulk of his property to Major C. H. Strutt, an officer in the British Army. Cavendish brought the suit against Major Strutt to recover possession of his property on the ground that the officer had gained control of it through spiritualistic devices.

This case has attracted a great deal of attention. The plaintiff is a young African explorer. He spent nearly \$1,000,000 in four years, largely in theatrical ventures and in buying jewelry for actresses. A year ago last April he married Isabel Jay, the leading actress of the Savoy Theatre. After spending a great deal of his money

in explorations and in the other ways referred to, Cavendish turned over the remainder of his property, amounting to some \$200,000, by settlement to the defendant, Major Strutt, to administer in

The evidence showed that Cavendish had been induced to believe by table rappings, planchette writing and other devices hat he was in communication with the spirit of his dead mother, who spoke to him. Cavendish testified during the trial that Major and Mrs. Strutt carried on their spiritualistic séances daily, only stopping ng enough for meals. "We," said the plaintiff, "had communications from the angels and archangels.

All sorts of messages came from themprayers, poetry and stories of processions in heaven. Sometimes the angels made reference to our business matters. Their advice always coincided with that of the Strutts. The Judge, in rendering his decision to-day, held that the plaintiff had not been

#### he accordingly set aside BRITISH WARSHIP LAUNCHED. The Commonwealth the Largest One Ever Bullt on the Clyde.

fairly advised in regard to the full meaning

of the settlement with Major Strutt, which

Special Cable Despatch to THE SUN. LONDON, May 13. - The battleship Com monwealth was launched on the Clyde this afternoon. She is the first British battleship to be furnished complete with all guns by private builders. The Commonwealth will have a displacement of 16,350 tons. She is 425 feet in length and 58 feet beam and she has 26% feet draught. Her indicated

horse power is 18,000. The Commonwealth will have 10 6-inch 

carry a crew of 755. The Commonwealth is the largest battleship ever built on the Clyde. She was constructed in ten months, which is the world's record in naval construction.

#### CHINA'S INDEMNITY BONDS. That Presented by the American Delegate the Only One Signed.

Special Cable Despatch to THE SUN. PEKIN, May 13 .- The signatures of the Thinese officials to the Boxer indemnity ond presented by the American delegate ndependently of the bonds of the other Powers were procured because the phrase ology as to the paying medium is identical

with that used in the protocol. The success of the American delegate has no influence upon the differences between China and the other Powers whose thirteen bonds China has returned to the Bankers' Commission, unsigned. These Powers are regarded as being unalterably pledged to the contention that there shall be a stipulation in the bonds for the payment of the indemnities in gold.

## You Can't Use Brute Force

to oust a cold or cough. There is one expelling force, firm, yet gentle-Hale's Honey of Horehound and Tar. It is not unpleasant to the taste, and it cures. Your druggist sells it.

Pike's Toothache Drops Cure in One Minute

# Coward Good Sense Shoe

The Coward Oxford fits from the very moment it is tried on.

Fits from toe to heel, and especially well across the instep. It's the ideal Low Shoe for

warm weather, both in ease and looks. Men's and Women's. All the up-to-date shapes.

SOLD NOWHERE ELSE. TAMES S. COWARD. 268-274 Greenwich St., near Warren St., N.Y. Mail Orders Filled. SEND FOR CATALOGUE.

daily and without extra fare the black diamond express runs to wilkes barre, ithaca, rochester, buffalo and niagara falls-a few other stops as well, leaves new vork 10.25 a. m. brooklyn 10.15 a. m.

# VICTORIA BEATING STRIKE.

Running Trains in Spite of the Employees Who Are Out. Special Cable Despatch to THE SUN. MELBOURNE, May 13.—There is every evi-

dence that the strike of the railway men against the order of the government of Victoria to sever their connection with the general trades union is failing. Thirty trains were run vesterday, and more went on to-

The Executive Committee of the Engine Drivers' Association is chagrined because the men who are paid dany, such as porters, platelayers and guards, have refused to go out. Many signalmen also have refused to strike. The Government of Victoria paid the fares of fifty engine drivers from other States who came to take the places of the strikers.

The Parliament of Victoria met this afternoon. The speech of the Governor was the shortest on record. He merely, said that the Ministry would submit a measure to deal with the existing strike.

The Prime Minister moved the second reading of the Strike bill, which imposes severe penalties upon participators in the strike, and otherwise empowers the authorities to repress the trouble. The bill is not retroactive, and it will lapse when the strike ends. An amendment to the effect that if work is resumed the Government will consider the employees' grievances was rejected by a vote of 58 to 30. The Labor party is working energetically to defeat the bill.

#### THE MASSACRE AT TIRASPOL. Confirmation of the Report at St. Peters-

burg and an Inquiry Has Begun. Special Cable Despatch to THE SUN.
St. Petersburg, May 13.-Despatches received here confirm the report of an anti-Jewish outbreak at Tiraspol, near Odessa, similar to that which recently occurred at Kishineff. A large number of Jews were killed.

An inquiry into the affair has been begun,

## Return of Mrs. and Miss Choate.

Special Cable Despatch to THE SUN. LONDON, May 13 .- Mrs. Choate, wife of the American Ambassador, and Miss Choate will sail for New York on the Kaiser Wil-

#### ENGAGEMENT. HUNTINGTON-ANDERSON .- Mr. and Mrs. Henry

James Anderson, formerly of Scranton, Pa., now of Alamogordo, New Mexico, announce the engagement of their daughter. Eleanor to Mr. Augustus Zerega Huntington of DIED.

dence, 50 West 95th st., Edward N. Cook his 56th year. Broadway and 71st st. on Friday, May 15, at 10 A. M. Buffalo, Boston and Baltimore papers please copy. ROOKFIELD.-At his residence, 516 Madison av.,

COOK .- On Tuesday, May 12, 1903, at his resi-

Wednesday, May 13, 1903, William Brookfield, Notice of funeral hereafter. GILLILAND. At Pelham Manor, N. Y., on May HLLIAND.—At Female 38, 13, 1903. Ezra T. Gilliand.
Funcral services will be held at his late reddence, Boston road. Pelham Manor, N. T.,

on Friday, May 15, at 11 A. M.

HOBBIE. - On Tuesday, May 12, 1903, Rev. Reeve Funeral services on Friday, May 15, at 10 A. M., at Grace Church, Newark, N. J. omit flowers.

HOPPING. On May 12, 1903. Cora Elizabeth, daughter of the late Andrew J. Hopping. Funeral service at her late residence, 437 West 51st st., on Friday, May 15, at 3:30 P. M. Interment Trinity Cemetery. SMITH .- On Monday, May 11, 1903, William H. Smith, aged 60 years. Services at the liotel Majestic, Thursday, at 1

o'clock. Interment private. STODDARD.—On Tuesday, May 12, at his residence, 329 East 15th st., New York, Richard Heart Stoddard, aged 77 years and 10 months. 34th st. and Park av., on Thursday, May 14, at 4 P.M. Interment Friday at Sag Harbor, L. 2. URNER .- On Wednesday, May 13, 1903, at her

## in the 81st year of her age. Notice of funeral hereafter. PERSONALS.

residence, 634 West 147th st., Jane E. Turner,

IN THE MATTER OF THE HARLEM LANDS
AND PROPERTIES.
TO THE "HARLEM HEIRS":
TAKE NOTICE, that under grants and charters
of the King of England, all lands on Manhattan
Island east and north of a line running from Seventyfourth Street on the East River to One Hundred
and Twenty-ninth Street on the Hudson River,
were conveyed to twenty-three original Patentees,
(as members of body corporate) "their heirs,
successors and assigns, forever." The Patentees
follow: successors and assens, forever. The Patentees follow:
John Delavall, Resolved Waldron, Joost Van Oblinus (Oblinus), Daniel Tourneur, Adolph Meyer (Myer), John Spragge, Jan Hendricks Brevoort, Jan Delamater, Isaac Delamater, Isarent Waldron, Johannes Vermilje (Vermilye), Lawrence Jansen (Low), Peter Van Oblinus (Oblenus), Jan Dykeman, (Dyckman), Jan Nagel, Arent Harmanse (Bussing), Cornelis Jansen (Kortright), Jacqueline Tourneur, Hester Delamater, Johannes Verweelen (Van Valen), William Haldron (Holdrum), Abraham Montanie (De La Montanye), Peter Parmentier. wan valen, which is a montanger, Peter Parmentler.

Each descendant of said Patentees is a member of a Corporation, created by said patents, and interested in a large portion of said lands. The undersigned are engaged in tracing these descendants, for the purpose of calling a meeting and instituting suits for recovery. All who are descended directly from these twenty-three Patentees above named, bearing the same name through the male line or collaterally (of different name) by marriage through the female line (keeping in mind that the blood of the twenty-three original Patentees only is being traced, are members of said Corporation. THE HERS WILL NOT BE ASKED TO BEAR ANY EXPENSE IN THIS UNDERTAKING, as explained in our circular letter of May 1st. Descendants of the above Patentees are requested to communicate with TOLER & NUTTING, Counsellors-at-Law, Exchange Court(Room 5; Exchange Place)